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3 **UNITED STATES DISTRICT COURT**  
4 **NORTHERN DISTRICT OF CALIFORNIA**  
5 **SAN JOSE DIVISION**  
6

7 FINJAN, INC.,

8 Plaintiff,

9 v.

10 BLUE COAT SYSTEMS, LLC,

11 Defendant.

Case No. 15-cv-03295-BLF

**ORDER GRANTING BLUE COAT  
SYSTEMS LLC'S MOTION TO FILE  
UNDER SEAL PORTIONS OF ITS  
AMENDED REPLY**

[Re: ECF 260]

12  
13 Before the Court is Defendant Blue Coat Systems LLC's ("Blue Coat") administrative  
14 motion to file under seal portions of its Amended Reply in Support of its Motion for Summary  
15 Judgment ("Amended Reply"). ECF 260. For the reasons set forth below, Blue Coat's motion is  
16 GRANTED.

17 **I. LEGAL STANDARD**

18 "Historically, courts have recognized a 'general right to inspect and copy public records  
19 and documents, including judicial records and documents.'" *Kamakana v. City & Cnty. of*  
20 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435  
21 U.S. 589, 597 & n.7 (1978)). Consequently, access to motions and their attachments that are  
22 "more than tangentially related to the merits of a case" may be sealed only upon a showing of  
23 "compelling reasons" for sealing. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092,  
24 1101-02 (9th Cir. 2016). Filings that are only tangentially related to the merits may be sealed  
25 upon a lesser showing of "good cause." *Id.* at 1097. In addition, sealing motions filed in this  
26 district must be "narrowly tailored to seek sealing only of sealable material." Civil L.R. 79-5(b).  
27 A party moving to seal a document in whole or in part must file a declaration establishing that the  
28 identified material is "sealable." Civ. L.R. 79-5(d)(1)(A). "Reference to a stipulation or

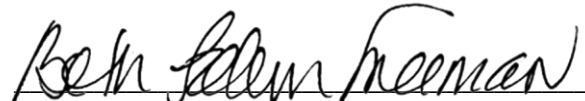
1 protective order that allows a party to designate certain documents as confidential is not sufficient  
2 to establish that a document, or portions thereof, are sealable.” *Id.*

3 **II. DISCUSSION**

4 The Court has reviewed Blue Coat’s sealing motion and the declaration submitted in  
5 support thereof. According to Blue Coat, the portions of the Amended Reply for which sealing is  
6 requested contain information which relates to the operation and infrastructure of backend systems  
7 and services and other highly confidential information about the operation and development of the  
8 accused products. Declaration of Robin L. Brewer in Support of Administrative Motion to File  
9 Under Seal, ECF 260-1 ¶¶ 4-8. These portions also contain information relating to Blue Coat’s  
10 highly confidential business operations. *Id.* The Court finds that Blue Coat has articulated  
11 compelling reasons and good cause for sealing. The proposed redactions are also narrowly  
12 tailored. Accordingly, the Court GRANTS Blue Coat’s motion to seal.

13 **IT IS SO ORDERED.**

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15 Dated: June 19, 2017

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17 BETH LABSON FREEMAN  
18 United States District Judge  
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